

August 1, 2011

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

FILED/ACCEPTED

AUG - 9 2011

Federal Communications Commission
Office of the Secretary

Comments: FCC File No. SAT-MOD-20101118-00239--*LightSquared Application for Modification*

Dear Mr. Chairman,

Background. On June 15, 2011 a large number technology and venture capital firms wrote to you in this proceeding encouraging the FCC to develop a “win-win” solution for America. The filing stressed that it is imperative, and in the vital interest of the country, that the FCC create an environment where LightSquared and GPS can co-exist and that crafting such a solution is consistent with the charter of the FCC.

The filing also observed that wireless services have become an invaluable engine for productivity and innovation in the U.S. economy, and they play a critical component in the U.S. retaining its lead in global competitiveness. The importance of building the world’s first ever nationwide end-to-end full IP wireless network and taking the global lead in LTE deployment cannot be overstated. Once complete, the LightSquared network will sharply increase the nation’s broadband capacity, enhancing wireless competition and providing additional choice in the wireless industry. In addition, LightSquared is poised to deliver unique capabilities to support public safety and has made an aggressive commitment to bring broadband to rural communities. Moreover, its unique, collaborative open-platform design combined with its 100% wholesale business model promises to spawn innovation by supporting new entrants and leading edge applications. LightSquared is enabling an ecosystem of third party software, hardware, and applications providers who will collectively seek to transform not only the wireless industry, but also other industries such as health care, automotive, transportation, education, media, entertainment, and energy. In a highly competitive 21st century global economy, the U.S. cannot afford to stifle such innovation.

LightSquared’s Proposal. On June 30, LightSquared made significant concessions in an effort to construct a win-win solution. It proposed operating on the lower 10 MHz of its authorized L-band frequencies – the frequencies furthest away from the GPS frequencies - which would leave a buffer or guard band of 23 MHz between itself and the closest GPS frequency. This proposal is not only a commendable step forward for resolving this matter, but it is identical to the recommendation made by the GPS Industry Council when it first identified the potential for interference just months ago. Test results show that over 99.5% of existing GPS devices would not be affected if LightSquared were to operate on the lower 10 MHz, and LightSquared has committed to addressing those small number of receivers still impacted.

Fear is Not a Solution. It is critical to recognize that LightSquared’s sacrifice of full use of its spectrum is a constructive solution that helps develop a new, nationwide 4G-LTE network complemented with satellite coverage as a way of significantly expanding broadband access nationwide while mitigating the risk of GPS interference. In contrast, unfortunately, many of the GPS device manufacturers still appear uninterested in finding a win-win solution. Rather, their only “proposal” to a problem largely of their own making --by, in the words of the FCC, failing to design “receivers that reasonably discriminate against

reception of signals outside their allocated spectrum”—is that the FCC should simply block LightSquared from using its own spectrum. The support for their proposal is fear; fear that no technical solution is possible. Fortunately, the FCC has a long history of successfully seeing through similar fear-based arguments from incumbents. From the early days of CPE competition to the opening of the long distance and local telephone markets, the development of satellite competition and the licensing of multiple wireless carriers, the FCC has time and time again embraced competition and technical solutions over fear-based, emotional objections. It must do so again in this proceeding; the need for expanded wireless services is too great for frequency to be inefficiently wasted.

Conclusion. The GPS-LightSquared debate has been sadly positioned as a “win-lose” dilemma, suggesting a winner-take-all outcome -- that in order for one technology to exist, the other must lose. That is unfortunate and shortsighted. Securing *both* GPS and nationwide wireless broadband should be and can be the goal. The FCC should adopt the LightSquared solution and move forward promptly.

Sincerely,





CC:
Commissioner Mignon Clyburn
Commissioner Michael Copps
Commissioner Robert McDowell